

INTERNET  
FORM NLRB-501  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER****DO NOT WRITE IN THIS SPACE**

Case

01-CA-258756

Date Filed

4/3/2020

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

| 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT   |  |
|--|--|
| a. Name of Employer<br>DataRobot   | b. Tel. No.<br>(617) 765-4500  |
|  | c. Cell No.  |
|  | f. Fax No.   |
| d. Address (Street, city, state, and ZIP code)<br>225 Franklin St<br>MA Boston 02110-____  | e. Employer Representative<br>(b) (6), (b) (7)(C)<br>(b) (6), (b) (7)(C)             |
|  | g. e-Mail<br>(b) (6), (b) (7)(C)@datarobot.com                                       |
|  | h. Number of workers employed<br>200   |
| i. Type of Establishment (factory, mine, wholesaler, etc.)<br>Technology   | j. Identify principal product or service<br>Enterprise Analytics Software            |
| k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. |  |
| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  |  |
| --See additional page--  |  |
| 3. Full name of party filing charge (if labor organization, give full name, including local name and number)<br>(b) (6), (b) (7)(C) Title:   |  |
| 4a. Address (Street and number, city, state, and ZIP code)<br>(b) (6), (b) (7)(C)  | 4b. Tel. No.<br>(b) (6), (b) (7)(C)  |
|  | 4c. Cell No.   |
|  | 4d. Fax No.  |
|  | 4e. e-Mail<br>(b) (6), (b) (7)(C)  |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)  |  |
| 6. DECLARATION<br>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.   |  |
| By (b) (6), (b) (7)(C)<br>_____<br>Representative or person making charge  | Title: (b) (6), (b) (7)(C)<br>_____<br>(Print/type name and title or office, if any) |
| Address (b) (6), (b) (7)(C)<br>_____<br>(b) (6), (b) (7)(C)  | Tel. No.<br>(b) (6), (b) (7)(C)  |
|  | Office, if any, Cell No.   |
|  | Fax No.  |
|  | e-Mail<br>(b) (6), (b) (7)(C)  |
| 04/3/2020 14:28:12<br>(date)   |  |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Basis of the Charge

### 8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages and/or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

| Name of employee discharged | Approximate date of discharge |
|-----------------------------|-------------------------------|
| (b) (6), (b) (7)(C)         | (b) (6), (b) (7)(C) 2020      |
| (b) (6), (b) (7)(C)         | (b) (6), (b) (7)(C), 2020     |

### 8(a)(1)

Within the previous six months, the Employer discharged an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, protesting terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

| Name of employee discharged | Approximate date of discharge |
|-----------------------------|-------------------------------|
| (b) (6), (b) (7)(C)         | (b) (6), (b) (7)(C) 2020      |
| (b) (6), (b) (7)(C)         | (b) (6), (b) (7)(C) 2020      |

### 8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

| Name of employee disciplined/retaliated against | Type of discipline/retaliation | Approximate date of discipline/retaliation |
|---|--------------------------------|--|
| (b) (6), (b) (7)(C)                             | Employment Terminated          | (b) (6), (b) (7)(C) 2020                   |

### 8(a)(1)

Within the previous six-months, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prohibit employees from discussing wages, hours, or other terms or conditions of employment.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 1  
Thomas P. O'Neill Fed Bldg.  
10 Causeway Street, Room 601  
Boston, MA 02222-1001

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (617) 565-6700  
Fax: (617) 565-6725



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April 6, 2020

(b) (6), (b) (7)(C)

DATAROBOT  
225 FRANKLIN STREET  
BOSTON, MA 02110

Re: DATAROBOT  
Case 01-CA-258756

Dear (b) (6), (b) (7)(C)

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Attorney CATHERINE A. TERRELL whose telephone number is (857) 317-7794. If this Board agent is not available, you may contact Regional Attorney LAURA A. SACKS whose telephone number is (857) 317-7802.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Paul J. Murphy".

PAUL J. MURPHY  
Acting Regional Director

PJM/rg

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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Thomas P. O'Neill Fed Bldg.  
10 Causeway Street, Room 601  
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Fax: (617) 565-6725



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Mobile App

April 6, 2020

(b) (6), (b) (7)(C)

Re: DATAROBOT  
Case 01-CA-258756

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on April 03, 2020 has been docketed as case number 01-CA-258756. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Attorney CATHERINE A. TERRELL whose telephone number is (857) 317-7794. If this Board agent is not available, you may contact Regional Attorney LAURA A. SACKS whose telephone number is (857) 317-7802.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul J. Murphy". The signature is fluid and cursive, with the first name "Paul" and last name "Murphy" clearly distinguishable.

PAUL J. MURPHY  
Acting Regional Director

PJM/rg



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**FIRST AMENDED CHARGE AGAINST EMPLOYER**

**INSTRUCTIONS:**

| DO NOT WRITE IN THIS SPACE |              |
|----------------------------|--------------|
| Case                       | Date Filed   |
| 01-CA-258756               | July 8, 2020 |

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

|   |  |  |
|---|--|--|
| a. Name of Employer<br>DataRobot  |  | b. Tel. No.<br>(617)765-4500                       |
|   |  | c. Cell No.  |
| d. Address (street, city, state ZIP code)<br>225 Franklin St., Boston, MA 02110   | e. Employer Representative<br>(b) (6), (b) (7)(C)                | f. Fax No.   |
|   |  | g. e-Mail<br>(b) (6), (b) (7)(C)@datarobot.com     |
|   |  | h. Dispute Location (City and State)<br>Boston, MA |
| i. Type of Establishment (factory, nursing home, hotel)<br>Office/Digital Platform  | j. Principal Product or Service<br>Enterprise Analytics Software | k. Number of workers at dispute location<br>200    |
| l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a)(1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act. |  |  |
| 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)   |  |  |
| <p>For at least the last six months preceding the filing of this Charge, the Employer has interfered with, restrained, and coerced its employees in the exercise of rights protected by Section 7 of the Act by maintaining work rules that prohibit employees in its' Demand Generation division from discussing wages or other terms or conditions of employment.</p>                                   |  |  |

## 3. Full name of party filing charge (if labor organization, give full name, including local name and number)

|   |                                     |
|---|-------------------------------------|
| (b) (6), (b) (7)(C)   |                                     |
| 4a. Address (street and number, city, state, and ZIP code)<br>(b) (6), (b) (7)(C)   | 4b. Tel. No.<br>(b) (6), (b) (7)(C) |
|   | 4c. Cell No.                        |
|   | 4d. Fax No.                         |
|   | 4e. e-Mail<br>(b) (6), (b) (7)(C)   |
| 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) |                                     |
| 6. DECLARATION<br>I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.                                      |                                     |
| By: (b) (6), (b) (7)(C)   | Tel. No.<br>(b) (6), (b) (7)(C)     |
| (signature) (b) (6), (b) (7)(C)   | Office, if any, Cell No.            |
| Print Name and Title<br>(b) (6), (b) (7)(C)   | Fax No.                             |
| Address: (b) (6), (b) (7)(C)<br>(b) (6), (b) (7)(C)   | e-Mail<br>(b) (6), (b) (7)(C)       |
| Date: 07-08-2020  |                                     |

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**

**PRIVACY ACT STATEMENT**

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Fax: (617) 565-6725



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Mobile App

July 9, 2020

(b) (6), (b) (7)(C)

Re: DATAROBOT  
Case 01-CA-258756

(b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Attorney CATHERINE A. TERRELL whose telephone number is (857) 317-7794. If the agent is not available, you may contact Regional Attorney LAURA A. SACKS whose telephone number is (857) 317-7802.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, appearing to read "Paul J. Murphy". The signature is written in a cursive, flowing style with a large, stylized "P" and "M".

PAUL J. MURPHY  
Acting Regional Director

PJM/rg



UNITED STATES GOVERNMENT  
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July 9, 2020

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)  
DATAROBOT  
225 FRANKLIN STREET  
BOSTON, MA 02110

Re: DATAROBOT  
Case 01-CA-258756

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**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

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Very truly yours,

A handwritten signature in dark ink, appearing to read "Paul J. Murphy", written in a cursive style.

PAUL J. MURPHY  
Acting Regional Director

Enclosure: Copy of first amended charge

cc: LYLE S. ZUCKERMAN, ESQ.  
DAVIS WRIGHT TREMAINE, LLP  
1251 AVENUE OF THE AMERICAS, 21ST FLOOR  
NEW YORK, NY 10022

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
SETTLEMENT AGREEMENT

**IN THE MATTER OF  
DATAROBOT**

**Case 01-CA-258756**

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

**POSTING OF NOTICE** — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in where other federal notices are typically posted at the Employer's facility at 225 Franklin St. Boston, MA 02110. If the Employer's place of business is currently closed and a substantial number of employees are not reporting to the facility due to the Coronavirus pandemic or is operating with less than a substantial complement of employees, the 60 consecutive day period for posting will begin when the Employer's place of business reopens and a substantial complement of employees have returned to work. For purposes of this notice posting, a substantial complement of employees is at least 50% of the total number of employees employed by the Employer prior to closing its business due to the Coronavirus pandemic. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

**INTRANET POSTING** - The Charged Party will also post a copy of the Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, on the employer's Namely-hosted online platform where other workplace posters are displayed and keep it continuously posted there for 60 consecutive days from the date it was originally posted. The Charged Party will submit a paper copy of the intranet or website posting to the Region's Compliance Officer when it submits the Certification of Posting and provide a password for a password protected intranet site in the event it is necessary to check the electronic posting.

**E-MAILING NOTICE** - The Charged Party will email a copy of the signed Notice in English, and in additional languages if the Regional Director decides that it is appropriate to do so, to all current and former employees of the Employer's Demand Generation division, at their last known business and/or personal electronic mail addresses, who worked at the facility located in Boston, MA from October 2019 to the present. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 01 of the National Labor Relations Board in Case 01-CA-258756." If the Employer's place of business is currently closed due to the Coronavirus pandemic, the Employer will email the copy of the Notice to its employees when the Employer's place of business reopens. The Charged Party will forward a copy of that e-mail, with all of the recipients' e-mail addresses, to the Region's Compliance Officer at [megan.millar@nlrb.gov](mailto:megan.millar@nlrb.gov).

**COMPLIANCE WITH NOTICE** — The Charged Party will comply with all the terms and provisions of said Notice.

**SCOPE OF THE AGREEMENT** — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the

litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

**PARTIES TO THE AGREEMENT** — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

**AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY** — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes /s [REDACTED] \_\_\_\_\_ No \_\_\_\_\_  
Initials Initials

**PERFORMANCE** — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices.

**NOTIFICATION OF COMPLIANCE** — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

|   |   |
|---|---|
| <b>Charged Party</b>  | <b>Charging Party</b>                                       |
| <b>DATAROBOT</b>  | (b) (6), (b) (7)(C)   |
| By:            Name and Title                          Date | By:            Name and Title                          Date |
| /s/ (b) (6), (b) (7)(C)                          7/20/20    | /s/ (b) (6), (b) (7)(C)                          7/28/20    |
| Print Name and Title below                                  | Print Name and Title below                                  |
| (b) (6), (b) (7)(C)   | (b) (6), (b) (7)(C)   |



| Recommended By:   | Date    | Approved By:  | Date    |
|---|---------|---|---------|
| /s/ Catherine Terrell<br>Catherine A. Terrell<br>Attorney | 7/28/20 | /s/ Paul J. Murphy<br>PAUL J. MURPHY<br>Regional Director, Region 1 | 7/29/20 |

(To be printed and posted on official Board notice form)

**THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** interfere with, restrain, or coerce you in the exercise of the above rights.

**WE WILL NOT** stop you from discussing your wages, hours or working conditions with your coworkers or others and **WE WILL** rescind the rule in our employee Quarterly Objectives documents that prohibit discussing wages and other financial matters and notify employees that this has been done.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**DATAROBOT**

\_\_\_\_\_  
(Employer)

**Dated:** \_\_\_\_\_

**By:** \_\_\_\_\_  
(Representative) (Title)

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*The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.*

Thomas P. O'Neill Fed Bldg  
10 Causeway St, Room 601  
Boston, MA 02222-1001

**Telephone:** (617)565-6700  
**Hours of Operation:** 8:30 a.m. to 5 p.m.

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**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.



# NOTICE TO EMPLOYEES



## POSTED PURSUANT TO A SETTLEMENT AGREEMENT APPROVED BY A REGIONAL DIRECTOR OF THE NATIONAL LABOR RELATIONS BOARD

AN AGENCY OF THE UNITED STATES GOVERNMENT

**THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:**

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

**WE WILL NOT** interfere with, restrain, or coerce you in the exercise of the above rights.

**WE WILL NOT** stop you from discussing your wages, hours or working conditions with your coworkers or others and **WE WILL** rescind the rule in our employee Quarterly Objectives documents that prohibit discussing wages and other financial matters and notify employees that this has been done.

**WE WILL NOT** in any like or related manner interfere with your rights under Section 7 of the Act.

**DATAROBOT**

(Employer)

**Dated:**

**By:**

(Representative)

(Title)

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**THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE**

**This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced, or covered by any other material.**